

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ELIZABETH BOEY CHAU, M.D.,

Plaintiff,

-against-

HARTFORD LIFE INSURANCE COMPANY,  
HOWARD FUTERMAN, M.D., EVELYN K.  
BALOGUN, M.D., DAVID HOENIG, M.D.,  
DAYTON DENNIS PAYNE, M.D., RELIABLE  
REVIEW SERVICES, INC., EXAMWORKS  
GROUP, INC., JANE DOE,

Defendants.

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Civil Action No.:  
14-cv-8484 (GHW)

**NOTICE OF MOTION**  
(Oral Argument Requested)

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, Defendant Howard Futerman, M.D., by his attorneys, Lewis Johs Avallone Aviles, LLP, will move this Court at a time and date designated by the Court, before the Hon. Gregory H. Woods, U.S.D.J., at the United States Courthouse for the Southern District of New York, located at 500 Pearl Street, Courtroom 9A, New York, New York 10007, for an Order pursuant to Fed. R. Civ. P. 12(b)(6) dismissing Plaintiff's Amended Complaint in its entirety, and for such other and further relief as this Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that Howard Futerman, M.D. requests that Judge

Woods hear oral argument on Howard Futerman, M.D.'s Motion to dismiss on a date and time to be designated by the Court.

Dated: Islandia, New York  
August 21, 2015

By:                     /s/                      
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**CERTIFICATE OF SERVICE**

I hereby certify that on August 21, 2015, a true and correct copy of the attached NOTICE OF MOTION and a copy of the referenced documents in the statement was electronically filed with the Clerk of the Court in accordance with the United States District Court, Southern District of New York's procedures regarding Electronic Filing and Service:

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/s/  
Bryan F. Lewis